



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1445 North Orchard • Boise, Idaho 83706-2239 • (208) 373-0550

Dirk Kempthorne, Governor
C. Stephen Allred, Director

July 12, 2002

CERTIFIED MAIL # 7000 1530 0005 5348 3178

Mr. Mike Mulchay, President
Mike's Sand and Gravel
20667 Franklin Road
Nampa, Idaho 83687

RECEIVED

JUL 15 2002

DEPT. OF ENVIRONMENTAL QUALITY
TECHNICAL SERVICES OFFICE

RE: T2-000038, Mike's Sand and Gravel, Nampa, Idaho
Final Tier II Operating Permit No.001-00184

Dear Mr. Mulchay:

The Idaho Department of Environmental Quality (Department) is issuing Tier II Operating Permit Number 001-00184 for Mike's Sand and Gravel in accordance with IDAPA 58.01.01.400 through 406, *Rules for the Control of Air Pollution in Idaho (Rules)*.

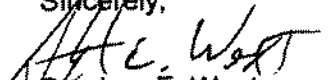
The enclosed Tier II Operating Permit is based on the information contained in your permit application and on the relevant comments received during the public comment period. This Tier II permit is effective immediately. Modification to and/or renewal of this Tier II permit shall be requested in a timely manner in accordance with the *Rules*.

Mr. Tom Krinke of the Boise Regional Office will contact you regarding a meeting with the Department to discuss the permit terms and requirements. The Department recommends attendance of your facility's plant manager, responsible official, environmental contact, and any operations staff responsible for day-to-day compliance with permit conditions.

You, as well as any other entity, may have the right to appeal this final agency action pursuant to IDAPA 58.01.23 (*Rules of Administrative Procedure Before the Board of Environmental Quality*). A petition may be filed with the Hearings Coordinator, Department of Environmental Quality, 1410 N. Hilton, Boise, ID 83706-1255, within 35 days of the date of this decision. However, the Department encourages you to contact us to discuss any concerns you may have with the enclosed permit prior to filing a petition for a contested case.

If you have any questions regarding the terms or conditions of the enclosed permit, please contact Matt Stoll at (208) 373-0550 or mstoll@deq.state.id.us.

Sincerely,


Stephen E. West
Regional Administrator

SEW/REB/cm g:\baldwin\opt\tier2\mike's sand and gravel\final\final permit ltr.doc

Enclosure

cc: Faye Webber, Air Quality Division
Sherry Davis, Technical Services
Laurie Kral, EPA Region 10
Source File/ Reading File
Chris Ramsdell, Air Quality Division

January 16, 2002

STATE OF IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
RESPONSES TO COMMENTS AND QUESTIONS
SUBMITTED DURING A PUBLIC COMMENT PERIOD
FOR THE PROPOSED TIER II OPERATING PERMIT
FOR MIKE'S SAND AND GRAVEL

Introduction

The public comment period for the proposed Tier II Operating Permit of Mike's Sand and Gravel (Mike's) Boise facility for gravel mining and crushing was held from December 12, 2001 to January 11, 2002. Comment packages were made available at the state office of the Idaho Department of Environmental Quality (DEQ) in Boise, the DEQ Regional Office in Boise, and the Boise Public Library. The comment package consisted of Mike's Sand and Gravel 1999 Emission Inventory for Ada County, the Proposed Tier II Operating Permit, and the accompanying Technical Analysis.

A) Comments from Roger Allen, Chairman Woods Island ACC Committee.

Paragraph One

Concern about any change or expansion of gravel operation at the designated site

Response to comment:

The proposed Tier II operating permit is not being issued to allow expansion of the facility. The proposed Tier II permit is being issued to limit the facility from operating at its maximum capacity. The proposed permit would limit the amount of actual tonnage crushed during any consecutive 12-month period. By limiting the amount of material to be crushed, the particulate matter and PM₁₀ (particulate matter with an aerodynamic diameter of 10 microns or less) is also limited.

Paragraph Two

Concern about the wildlife in the area of the Mike's Sand and Gravel

Response to comment:

There are no provisions in the Rules for the Control of Air Pollution in Idaho (Rules) that address the wildlife issue.

Paragraph Three

Concern about the noise and air pollution (primarily dust) to their residence

Response to comment:

The normal noises of an operation are not addressed in the Rules. However, there are specific rules addressing the control of dust. These are addressed in the proposed Tier II OP, such as Section 1.3: *Visible Emission Limits*, and Section 2.3: *Reasonable Control of Fugitive Emissions*. These two sections state that no visible emissions shall be seen leaving the property boundary line and the facility shall take reasonable steps to control any fugitive dust.

With respect to a berm being built for noise control, again, there are no provisions in the Rules that address a method for the control of noise.

Paragraph Four

The committee opposes any expansion of this sand and gravel operation so close to residential neighbors, eagle hunting grounds, and the City of Garden City.

Response to comment:

As stated previously the operating permit does not allow for the expansion of the facility but is designed to limit the throughput of the present facility with the present equipment. This limitation will, in theory, limit the production of air borne particulate matter, especially that of PM₁₀ (particulate matter with an aerodynamic diameter of 10 microns or less). If any visible dust is observed leaving the facility's property a dust complaint concerning this potential permit violation may be filed with the Boise Regional Office of the Department of Environmental Quality at (208) 373-0550.

- B) Comment from Chris Troupis a resident in the area near Mike's Sand and Gravel received January 9, 2002.

Comment - Paragraph One

Strongly oppose any expansion of Mike's operation because of the noisy and disruptive effect on wildlife. Further expansion may affect the river level's stability and will definitely adversely affect our property values.

Response to Comment:

The proposed Tier II operating permit is not being issued to allow expansion of the facility. The proposed Tier II permit is being issued to limit the facility from operating at its maximum capacity. The proposed permit would limit the amount of actual tonnage crushed during any consecutive 12-month period. By limiting the amount of material to be crushed, the particulate matter and PM₁₀ (particulate matter with an aerodynamic diameter of 10 microns or less) is also limited.

- C) Comments from Julie and Terry Tompkins, area residents.

Comment - Paragraph One

Concerns were expressed regarding the noise pollution associated with the potential plan to build any mining, crushing and screening business north of Joplin Road, near the Boise River. They constantly hear the beeping from trucks and crashing of rocks in their area from the existing plant.

Response to Comment:

The proposed Tier II operating permit is not being issued to allow expansion of the facility. The proposed Tier II permit is being issued to limit the facility from operating at its maximum capacity. The proposed permit would limit the amount of actual tonnage crushed during any consecutive 12-month period. By limiting the amount of material to be crushed, the particulate matter and PM₁₀ (particulate matter with an aerodynamic diameter of 10 microns or less) is also limited.

The normal noises of an operation are not addressed in the Rules. However, there are specific rules addressing the control of dust. These are addressed in the proposed Tier II OP such as Section 1.3: *Visible Emission Limits*, and Section 2.3: *Reasonable Control of Fugitive Emissions*. These two sections state that no visible emissions shall be seen leaving the property boundary line and the facility shall take reasonable steps to control any fugitive dust.

Comment - Paragraph Two

Concerns the impact on the river environment

Response to Comment:

The activities of the Mike's Sand and Gravel (i.e. proximity to the river) and the effect of the facility on the wildlife are very important issues. However, these issues are not addressed in the Rules, which govern the air quality permitting process. This permitting process governs the allowable air emissions of certain pollutants to meet the state rules and federal regulations. These rules and regulations determine acceptable emissions levels for a facility such as Mike's Sand and Gravel.

D) Comments from Mack and Nancy Redford, residents in the area.

Comment - Paragraph One

We understand that this company is requesting a permit to build a new plant north of the current plant.

Response to Comment:

The proposed Tier II operating permit is not being issued to allow expansion of the facility. The proposed Tier II permit is being issued to limit the facility from operating at its maximum capacity. The proposed permit would limit the amount of actual tonnage crushed during any consecutive 12-month period. By limiting the amount of material to be crushed, the particulate matter and PM₁₀ (particulate matter with an aerodynamic diameter of 10 microns or less) is also limited.

Comment - Paragraph Two

Concerns regarding the noise and the dust problems

Response to Comment:

The normal noises of an operation are not addressed in the Rules. However, there are specific rules addressing the control of dust. These are addressed in the proposed Tier II OP such as Section 1.3: *Visible Emission Limits*, and Section 2.3: *Reasonable Control of Fugitive Emissions*. These two sections state that no visible emissions shall be seen leaving the property boundary line and the facility shall take reasonable steps to control any fugitive dust.

Comment - Paragraph Three

Concerns were expressed about detrimental effects on trees and wildlife near the river. It seems inappropriate to encourage good environmental husbandry, while also allowing industry to develop, which can not be favorably compatible.

Response to Comment:

Mike's Sand and Gravel probably owns or has obtained the right to operate on land with certain boundary lines. The proposed Tier II does not restrict a facility operation within these boundary lines except to insure that the facility operates within the guidelines that were passed by the legislature within the Rules for the Control of Air Pollution in Idaho (Rules). As stated within paragraph three of the comments, gravel mining, crushing, and screening operations do have noise, soil disturbance and dust associated with the operation. The purpose of the proposed Tier II OP is to limit the facility's activity, thus limiting the amount of particulate matter and PM₁₀ (particulate matter with an aerodynamic diameter of 10 microns or less) being emitted into the atmosphere.

Comment - Paragraph Four

Can we really say that the new crushing operation is compatible with the philosophy of providing a Green Belt through these wonderful areas for folks to enjoy?

Response to Comment:

The Tier II OP is designed to have the facility operate within the guidelines of the state rules and federal regulations. This includes meeting the *National Ambient Air Quality Standards*, which are the same nationwide. By meeting these standards, this facility will not contribute to pollution levels, which would be hazardous to an individual's health. By controlling emissions to an established standard the emissions emitted by Mike's Sand and Gravel should remain acceptable for the general population.

Comment - Paragraph Five

Refers to a new plant to be built and the associated noise, dust, and interference with the river

Response to Comment:

The proposed Tier II operating permit is not being issued to allow expansion of the facility. The proposed Tier II permit is being issued to limit the facility from operating at maximum capacity. The proposed permit would limit the amount of actual tonnage crushed during any consecutive 12-month period. By limiting the amount of material to be crushed, the particulate matter and PM₁₀ (particulate matter with an aerodynamic diameter of 10 microns or less) is also limited.

Comment - Paragraph Six

DEQ should deny the application for a new crushing plant.

Response to Comment:

The proposed Tier II operating permit is not being issued to allow expansion of the facility. The proposed Tier II permit is being issued to limit the facility from operating at maximum capacity. The proposed permit would limit the amount of actual tonnage crushed during any consecutive 12-month period. By limiting the amount of material to be crushed, the particulate matter and PM₁₀ (particulate matter with an aerodynamic diameter of 10 microns or less) is also limited.

E. Comments from Mary Ann and Bruce Murdoch, Woods Home owners, 9479 North Winterwood Lane. 83703

Comment - Paragraph One

We are the neighbors to the north of the present Joplin Plant and are very concerned that we will have another plant even closer than the current plant.

Response to Comment:

The proposed Tier II operating permit is not being issued to allow expansion of the facility. The proposed Tier II permit is being issued to limit the facility from operating at maximum capacity. The proposed permit would limit the amount of actual tonnage crushed during any consecutive 12-month period. By limiting the amount of material to be crushed, the particulate matter and PM₁₀ (particulate matter with an aerodynamic diameter of 10 microns or less) is also limited.

Comment - Paragraph Two

The current plant emits constant noise, large amounts of dust, and in addition to these pollutants, is barely within the tolerance level for the environmental well being of the Boise River habitat and the neighboring communities.

Response to Comment:

The Tier II OP requires the facility operate within the guidelines of the state rules and federal regulations. This includes meeting the *National Ambient Air Quality Standards*. By meeting these standards the facility does not pollute at a concentration that is hazardous to an individual's health. Therefore, by controlling the emissions to an established standard, the areas effected by the emissions from Mike's Sand and Gravel should remain acceptable for the general population. The Tier II operating permit addresses the reasonable control of the facility's fugitive dust. These rules state that the facility must use reasonable control and that no fugitive dust shall be seen leaving the property boundary. If such fugitive emissions are witnessed as leaving the facility property, a citizen has the right to lodge a complaint through the Boise Regional Office of the Department of Environmental Quality at (208) 373-0550.

Comment - Paragraph Three

We are asking that this application for expansion be denied or operating hours and emission control restrictions be imposed, which are enforceable and which would make Mike's Sand and Gravel operation accountable as a good environmentalist and neighbor.

Response to Comment:

The proposed Tier II operating permit does not allow for plant expansion. The proposed Tier II operating permit has monitoring and emissions limit requirements. The Department does not govern the noise issues. The area of Mike's Sand and Gravel has been an established sand and gravel location for many years. The facility does have the opportunity to utilize the land it owns and/or leases for its operation. This may include the removal of trees and shrubs to obtain the sand and gravel for its ongoing business operation. Also, in many areas it has been the developer's responsibility to build a noise barrier for new residences near a facility known to create noise during normal business operations.



**Air Pollution
TIER II OPERATING PERMIT**

State of Idaho
Department of Environmental Quality

PERMIT NO.: 001-00184

AQCR: 64

CLASS: SM

SIC: 1442

ZONE: 11

UTM COORDINATE (km): 554 . 95 , 4835 . 356

1. PERMITTEE

Mike's Sand and Gravel

2. PROJECT

Tier II Operating Permit – Northern Ada County PM₁₀ Maintenance Plan

3. MAILING ADDRESS

20667 Franklin Road

CITY

Nampa

STATE

Idaho

ZIP

83687

4. FACILITY CONTACT

Mike Mulchay

TITLE

President

TELEPHONE

(208) 939-2000

5. RESPONSIBLE OFFICIAL

Mike Mulchay

TITLE

President

TELEPHONE

(208) 939-2000

6. EXACT PLANT LOCATION

2500 feet north of Joplin Road

COUNTY

Ada

7. GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS

Gravel Mining, Crushing, Retail Sales

8. PERMIT AUTHORITY

This permit is issued according to the *Rules for the Control of Air Pollution in Idaho*, Section 58.01.01.400 and pertains only to emissions of air contaminants which are regulated by the state of Idaho and to the sources specifically allowed to be operated by this permit.

This permit has been granted on the basis of design information presented in the application and the Idaho Department of Environmental Quality's (Department) technical analysis of the supplied information. Changes in design or equipment, that result in any change in the nature or amount of emissions, may be a modification. Modifications are subject to the Department review in accordance with Section 58.01.01.200 of the *Rules for the Control of Air Pollution in Idaho*.

ADMINISTRATOR, BOISE REGIONAL OFFICE
DEPARTMENT OF ENVIRONMENTAL QUALITY

DATE ISSUED: July 12, 2002

DATE EXPIRES: July 12, 2007

Permittee: Mike s Sand and Gravel
Location: Nampa, Idaho

Date Issued: July 12, 2002
Date Expires: July 12, 2007

SOURCE: Sand & Gravel Transfers, Crushers, Screens, Vehicle Traffic, and Associated Processes.

1. EMISSION LIMITS

1.1 Emissions Limits

Particulate matter (PM), and particulate matter with an aerodynamic diameter less than or equal to a nominal ten micrometers (PM₁₀) emissions from the sand and gravel transfers, crushers, screens, vehicle traffic, and wind erosion (stockpiles), shall not exceed the pounds per hour (lb/hr) and the tons per any 12-month period (T/yr) limits listed in the Appendix.

1.2 Opacity Limits

Emissions from the sand and gravel transfers, crushers, screens, vehicle traffic, and associated processes, or any other stack, vent, or functionally equivalent opening, shall not exceed the limit required by New Source Performance Standards (NSPS) Part 60 Subpart OOO and IDAPA 58.01.01.625 (*Rules for the Control of Air Pollution in Idaho*). Opacity shall be determined by the procedures contained in NSPS Part 60 Subpart OOO and IDAPA 58.01.01.625.

1.3 Visible Emission Limits

Visible emissions shall not be observed leaving the property boundary for a period or periods aggregating more than three minutes in any 60-minute period. Visible emissions shall be determined by Environmental Protection Agency Reference Method 22 (as described in 40 CFR 60), the Appendix, or a Department-approved alternative method.

2. OPERATING REQUIREMENTS

2.1 Operating Procedures

The sand and gravel transfers, crushers, screens, and associated processes shall be operated according to the respective operation and maintenance (O&M) manual and manufacturer's specifications during the operation.

2.2.1 Sand and Gravel Mining

The material processed shall not exceed 600,000 tons per any consecutive 12-month period.

2.2.2 Performance Testing

The permittee shall have a performance test on the appropriate source(s) as stated in 40 CFR Part 60 Subpart OOO. A copy is located in the Appendix.

AIR QUALITY TIER II OPERATING PERMIT NUMBER: 001-00184

Permittee: Mike s Sand and Gravel
Location: Nampa, Idaho

Date Issued: July 12, 2002
Date Expires: July 12, 2007

SOURCE: Sand & Gravel Transfers, Crushers, Screens, Vehicle Traffic, and Associated Processes.

2.3 Reasonable Control of Fugitive Emissions

As required in IDAPA 58.01.01.651, all reasonable precautions shall be taken to prevent PM from becoming airborne. In determining what is reasonable, considerations will be given to factors such as the proximity of dust-emitting operations to human habitations and/or activities and atmospheric conditions that might affect the movement of PM.

Some of the reasonable precautions include, but are not limited to, the following:

- 2.3.1** Using water or chemicals for controlling dust when demolishing existing buildings or structures, performing construction operations, grading roads, and clearing of lands;
- 2.3.2** Applying asphalt, water or suitable chemicals to, or covering, dirt roads, material stockpiles, and other surfaces that can create dust;
- 2.3.3** Installing and using hoods, fans and fabric filters, or equivalent systems to enclose and vent the dusty materials. Adequate containment methods should be employed during sandblasting or other operations;
- 2.3.4** Covering open-bodied trucks transporting materials likely to give rise to airborne dusts;
- 2.3.5** Paving of roadways and maintaining them in a clean condition; or
- 2.3.6** Promptly removing earth or other stored material from streets.

3. MONITORING AND RECORDKEEPING REQUIREMENTS

3.1 Monitor Operation Parameters

The permittee shall monitor and record the amount of material processed on a consecutive 12-month basis. The most recent two years' compilation of records shall be kept onsite, in a record, and shall be made available to Department representatives upon request.

3.2 Operations and Maintenance (O&M) Manual Requirements

Within 60 days after permit issuance, the permittee shall have developed an O&M manual for the sand and gravel transfers, crushers, screens, vehicle traffic, and associated processes that describes the procedures followed to comply with General Provision B. This manual shall remain onsite at all times and shall be made available to Department representatives upon request.

3.3 New Source Performance Standards

The permittee shall perform all necessary recordkeeping that is applicable to the facility as stated within NSPS Part 60 Subpart OOO. A copy is located in the Appendix.

4. REPORTING REQUIREMENTS

4.1 New Source Performance Standards

The permittee shall perform all necessary reporting that is applicable to the facility as stated within 40 CFR Part 60 Subpart OOO. A copy is included in the Appendix.

AIR QUALITY TIER II OPERATING PERMIT NUMBER: 001-00184

Permittee: Mike s Sand and Gravel
Location: Nampa, Idaho

Date Issued: July 12, 2002
Date Expires: July 12, 2007

SOURCE: Sand & Gravel Transfers, Crushers, Screens, Vehicle Traffic, and Associated Processes.

4.2 Certification of Documents

All documents submitted to the Department, including, but not limited to, records, monitoring data, supporting information, requests for confidential treatment, testing reports, or compliance certifications, shall contain a certification by a responsible official. The certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document(s) are true, accurate, and complete.

AIR QUALITY TIER II OPERATING PERMIT NUMBER: 001-00184

PERMITTEE: MIKE'S SAND AND GRAVEL
LOCATION: NAMPA, IDAHO

DATE ISSUED: JULY 12, 2002
DATE EXPIRES: JULY 12, 2007

Appendix A

Appendix**Mike's Sand and Gravel****Hourly (lb/hr)^b and Annual^c (T/yr)^d Point Source Emissions Limits^a**

SOURCE	PM ₁₀ ^e	
	lb/hr	T/yr
Emissions from sand and gravel transfers, crushers, screens, vehicle traffic and associated processes	12.32	18.5

^a As determined by a pollutant-specific U.S. EPA reference method, Department-approved alternative, or by the Department emission estimation methods used in the permit application analysis.

^b Pound per hour

^c As determined by multiplying the actual or allowable (if actual is not available) lb/hr emission rate by the allowable hours per year that the process(es) may operate, or by actual annual production rates.

^d Tons per year

^e Particulate matter with an aerodynamic diameter of 10 microns or less.

AIR QUALITY TIER II OPERATING PERMIT NUMBER: 001-00184

PERMITTEE: MIKE'S SAND AND GRAVEL
LOCATION: NAMPA, IDAHO

DATE ISSUED: JULY 12, 2002
DATE EXPIRES: JULY 12, 2007

GENERAL PROVISIONS

TIER II OPERATING PERMIT GENERAL PROVISIONS

- A. All emissions authorized herein shall be consistent with the terms and conditions of this permit. The emission of any pollutant in excess of the limitations specified herein, or noncompliance with any other condition or limitation contained in this permit, shall constitute a violation of this permit and the *Rules for the Control of Air Pollution in Idaho*, and the Environmental Protection and Health Act, Idaho Code 39-101 et seq.
- B. The permittee shall at all times (except as provided in the *Rules for the Control of Air Pollution in Idaho*) maintain and operate in good working order all treatment or control facilities or systems installed or used to achieve compliance with the terms and conditions of this permit and other applicable laws for the control of air pollution.
- C. The permittee shall allow the Director, and/or his authorized representative(s), upon the presentation of credentials:
- 1) To enter upon the permittee's premises where an emission source is located, or in which any records are required to be kept under the terms and conditions of this permit; and
 - 2) At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit, to inspect any monitoring methods required in this permit, and to require stack emission testing (i.e., performance tests) in conformance with state approved or accepted Environmental Protection Agency (EPA) procedures when deemed appropriate by the Director.
- D. Except for data determined to be confidential under Section 9-342A, *Idaho Code*, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate regional office of the Department.
- E. Nothing in this permit is intended to relieve or exempt the permittee from compliance with any applicable federal, state, or local law or regulation, except as specifically provided herein.
- F. In the event of any change in control or ownership of source(s) from which the authorized emissions emanate, the permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Director.
- G. This permit shall be renewable on the expiration date, provided the permittee submits any and all information necessary for the Director to determine the amount and type of air pollutants emitted from the equipment for which this permit is granted. Failure to submit such information within 60 days after receipt of the Director's request shall cause the permit to be voided.
- H. The Director may require the permittee to develop a list of O&M procedures to be approved by the Department. Such list of procedures shall become a part of this permit by reference, and the permittee shall adhere to all of the operation and maintenance procedures contained therein.
- I. Performance tests (i.e., air emission source tests) conducted pursuant to testing requirements in this permit must be conducted in accordance with IDAPA 58.01.01.157. Such testing shall not be conducted on weekends or state holidays unless the permittee obtains prior Department approval.

The permittee shall submit a proposed test date for **each** performance test required by this permit to the Department for approval at least 15 days prior to each respective test date (including each test date for periodic tests such as, for example, annual tests). The permittee shall promptly notify the Department of any change in the proposed test date and shall provide at least five working days advanced notice prior to conducting any re-scheduled test, unless the Department approves a shorter notice period.

Within 30 days of the date on which a performance test required by this permit is concluded, the permittee shall submit to the Department a performance test report for the respective test. The performance test report shall

AIR QUALITY TIER II OPERATING PERMIT NUMBER: 001-00184

PERMITTEE: MIKE'S SAND AND GRAVEL
LOCATION: NAMPA, IDAHO

DATE ISSUED: JULY 12, 2002
DATE EXPIRES: JULY 12, 2007

GENERAL PROVISIONS

include any and all process operating data required to be recorded during the test period as well as the test results, raw test data, and associated documentation.

The maximum allowable source operating rate shall be limited to 120 percent of the average operating rate attained during the most recent performance test conducted pursuant to this permit, for which a test protocol has been granted prior approval by the Department, which demonstrated compliance with the respective pollutant emission limit unless (1) a more restrictive operating limit is specified elsewhere in this permit, or (2) at such an operating rate, emissions would exceed any emission limit(s) set forth in this permit.

- J. The provisions of this permit are severable; if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.